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Filed : February 16, 1999

at least one three-dimensional representation of a second product stored in said storage media, said at least one representation of said second product capable of illustrating multiple perspective views of said second product by rotating said three-dimensional representation of the product; and

a product display module operably connected to said storage media and configured to execute in said data center, wherein said product display module is configured to display product presentations at said buyer terminal and to superimpose said first and second product presentations or physical product exterior/interior options.

#### REMARKS

With this amendment, Claims 67-69 are added. No new matter has been added. Claims 1-69 are thus presented for further Examination.

#### Rejections Under 35 U.S.C. § 103

The Examiner has rejected Claims 1-66 under 35 U.S.C. § 103(a) as being unpatentable over Kenney in view of Burke, Foley et al., Mills et al., and Gottschalk et al.

For Kenney, Burke, Foley, Mills, and Gottschalk to support a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the combination must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. M.P.E.P. § 2142.

The Examiner recognizes that Kenney, Burke, and Foley "do not explicitly disclose said request comprising user-selected alterations of physical product exterior/interior options and said changed product presentation comprising said user selected alteration of physical exterior/interior options." However, the Examiner asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Mills and Gottschalk to the teaching of Kenney's virtual shopping to bring virtual shopping to a consumer that enables consumers to visually see the complete product with different configurations according to a consumer's choice. Applicant respectfully disagrees.

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Referring to Applicant's Claim 1, the Examiner does not point to a teaching or suggestion in Mills to "receive a request to change a product presentation" at a product display module through a "product display screen, said request comprising user-selected alterations of physical product exterior/interior options, said product display module configured to display the changed product presentation comprising said user-selected alterations of physical product exterior/interior options in said product display screen by modifying" a definition of the product display screen. Therefore it is not clear how the Examiner relies on the combination of Kenney, Burke, Foley, Mills, Gottschalk to teach or suggest the claimed invention, as the prior art of record does not teach or suggest all the claim limitations of Claim 1.

Furthermore, Kenney's interactive electronic shopping system is directed to "a system which allows a customer to view the contents of a particular shopping facility in a format that provides the feeling of shopping for the items in that particular facility." Col. 1, lines 28-31. In contrast, the system of Claim 1 allows a user to make "user-selected alterations of physical product exterior/interior options" such that a product display module is configured to "display the changed presentation comprising said user-selected alterations of physical product exterior/interior options." Such user alterations to physical product exterior/interior options would generally not be able to be made in a conventional shopping facility, as the large number of products with various combinations which the system of Claim 1 can display would not be displayed in a conventional shopping facility. For example, a shopping facility would not display different versions of a product having every possible combination of product features. Also, there is no teaching or suggestion in Kenney that the products for purchase have options which can be altered, therefore there can be no motivation to modify Kenney, nor is it taught how Kenney could be modified such that "physical product exterior/interior options" could be altered by selection of a user.

The Examiner further asserts that since not many consumers would buy a car without visually seeing and/or test driving the final product including options, it would have been obvious that when presenting the automobile online to consumers in order to influence their purchasing decision, a consumer would want to be presented with the vehicle of their choice in complete components when doing comparison shopping online. However, it is very rare for a consumer to see or test drive a vehicle having the exact combination of options they desire for

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purchase, prior to purchasing the vehicle. Usually, only specific combinations of options are shown to a consumer or are available for test drive in a vehicle. Kenney teaches a recreation of a real shopping experience. The claimed invention, however, improves the shopping experience by providing options that are not available when physically shopping. There is no system in the prior art with the capability to illustrate consumer selected combinations of individual options, which may or may not be a part of a package option, to the consumer prior to their purchase or special ordering of a vehicle.

All of the claim limitations of Claim 1 are not found in the combination of Kenney, Burke, Foley, Mills, and Gottschalk, nor is a teaching or suggestion to make the claimed combination found in these references. Thus, Claim 1 is not obvious and is respectfully presented for further review as patentable subject matter.

The arguments with respect to Claim 1 similarly apply to independent Claims 17, 30, 37, 38, 58, 65, and 66, where the references relied upon by the Examiner for rejection of these claims are the same as those relied upon for the rejection of Claim 1. Therefore, with reference to the arguments presented with respect to Claim 1, applicant respectfully submits Claims 17, 30, 37, 38, 58, 65, and 66 for further review as patentable subject matter.

Because Claims 2-16, 18-29, 31-36, 39-57, and 59-64 depend from Claims 1, 17, 30, 37, 38, 58, 65, and 66, pursuant to 35 U.S.C. § 112, ¶ 4, they incorporate by reference all the limitations of the claims to which they refer. It is therefore submitted that these claims are in condition for allowance at least for the reasons expressed with respect to the independent claims, and for their other features.

In the rejections of several dependent claims, the Examiner has relied upon an Official Notice that certain three-dimensional display techniques, display modifications, and online processes are well known. To avoid having these statements become accepted prior art (see M.P.E.P. 2144.03), the applicant respectfully requests that the Examiner produce prior art in support of these statements. This is especially true where the Examiner states that "altering color" is old, that "offering Internet shoppers with visual presentation from single product to multiple products" is old, that "selling vehicles and aftermarket products online" is old, and that "presenting product and sub-product for shoppers" is old. The applicant respectfully disagrees with these assertions.